

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KYLE FRANK,

Plaintiff,

v.

ORAJEL, et al.,

Defendants.

No. 1:22-cv-00638 GSA (PC)

ORDER DIRECTING PLAINTIFF TO SHOW
CAUSE WHY MATTER SHOULD NOT BE
DISMISSED FOR FAILURE TO OBEY A
COURT ORDER

(ECF No. 10)

PLAINTIFF'S SHOWING OF CAUSE OR, IN
THE ALTERNATIVE, FILING EITHER A
VERIFICATION OF CURRENT ADDRESS
ON FILE OR, FILING A NOTICE OF
CHANGE OF ADDRESS, DUE IN SEVEN
DAYS

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

For the reasons stated below, Plaintiff will be ordered to show cause why this matter should not be dismissed for failure to obey a court order. In the alternative, Plaintiff will be given the opportunity either to verify that his current address on file is accurate or to file a current updated address with the Court in compliance with Local Rule 183(b).

1 I. RELEVANT FACTS

2 On July 29, 2024, Plaintiff was ordered to file a notice of current address with the Court,
3 consistent with Local Rule 183(b). ECF No. 10. When the order issued, Plaintiff was given
4 seven days to comply with it. Id.

5 The time within which Plaintiff was to comply with the Court's order has passed and
6 Plaintiff has not responded to it. He has not requested an extension of time to do so, either.

7 II. DISCUSSION

8 The order directing Plaintiff to file a notice of current address was issued in order to
9 ensure that a correct address was on file for Plaintiff prior to screening his case. Having this
10 information on file generally enables the Court to be more efficient. It also allows the Court to
11 prioritize the review of older matters on its docket.

12 To date, Plaintiff has not responded to the Court's order. Therefore, Plaintiff will be
13 ordered to show cause why this matter should not be dismissed for his failure to do so. In the
14 alternative, Plaintiff may either verify that the current address he has on file is accurate, or file a
15 notice of an updated current address with the Court. Plaintiff will be given another seven days to
16 comply with this order.

17 Accordingly, IT IS HEREBY ORDERED that:

18 1. Within seven days from the date of this order Plaintiff shall SHOW CAUSE why this
19 matter should not be dismissed for failure to obey a court order. See Local Rule 183(b), and

20 2. As an alternative to filing the showing of cause, Plaintiff may either VERIFY that his
21 current address on file is correct, or he may FILE a notice which informs the Court of his current
22 address.

23 **Plaintiff is cautioned that failure to comply with this order within the time allotted**
24 **may result in a recommendation that this matter be dismissed.**

25
26
27 IT IS SO ORDERED.

28 Dated: February 28, 2025

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28